



Customer No. 28880

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Confirmation No. *37EW*

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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|  |  |                        |                      |
|--|--|------------------------|----------------------|
|  |  | Application Number     | 10/677,551           |
|  |  | Filing Date            | October 2, 2003      |
|  |  | First Named Inventor   | M. R. Barbachyn      |
|  |  | Art Unit               | 1624                 |
|  |  | Examiner Name          | Habte, Kahsay        |
|  |  | Attorney Docket Number | PC 27712 (01337.US1) |

| ENCLOSURES (Check all that apply)   |  |  |  |
|---|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below):<br><br>Information Disclosure Statement (37 C.F.R. 1.97(C)) (2 Pgs)<br>Cited References<br>Postcard |  |
|   |  | <input type="checkbox"/> Remarks<br>Authorization to charge the fee and any additional fees as necessary or credit any overpayment to deposit account 23-0455 is hereby given.   |  |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                        |          |        |
|--------------|------------------------|----------|--------|
| Firm Name    |                        |          |        |
| Signature    | <i>Robert N. Young</i> |          |        |
| Printed name | Robert N. Young        |          |        |
| Date         | 7-18-05                | Reg. No. | 48,412 |

### CERTIFICATE OF TRANSMISSION/MAILING

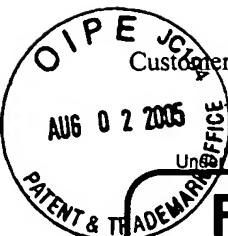
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                           |      |         |
|-----------------------|---------------------------|------|---------|
| Signature             | <i>Cynthia D. Bernges</i> |      |         |
| Typed or printed name | Cynthia D. Bernges        | Date | 7/18/05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

USPTO Fax No. 703-872-9306



Customer No. 28880

Confirmation No.

PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$180.00)
**Complete If Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | 10/677,551           |
| Filing Date          | October 2, 2003      |
| First Named Inventor | M. R. Barbachyn      |
| Examiner Name        | Habte, Kahsay        |
| Art Unit             | 1064                 |
| Attorney Docket No.  | PC 27712 (01337.US1) |

**METHOD OF PAYMENT (check all that apply)**
 Check  Credit card  Money Order  Other  None

 Deposit Account:

Deposit Account Number  
23-0455  
Deposit Account Name  
Warner-Lambert Company LLC

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity        | Small Entity  | Fee Description        | Fee Paid |
|---------------------|---------------|------------------------|----------|
| Fee Code (\$)       | Fee Code (\$) |                        |          |
| 1001 790            | 2001 395      | Utility filing fee     |          |
| 1002 350            | 2002 175      | Design filing fee      |          |
| 1003 550            | 2003 275      | Plant filing fee       |          |
| 1004 790            | 2004 395      | Reissue filing fee     |          |
| 1005 160            | 2005 80       | Provisional filing fee |          |
| <b>SUBTOTAL (1)</b> |               | <b>(\$0.00)</b>        |          |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    |              |                |          |
|              |                    |                    | -20** =      | X 18.00        | -\$0.00  |
|              |                    |                    | -3** =       | X 88.00        | -\$0.00  |
|              |                    |                    |              |                |          |

| Large Entity        | Small Entity  | Fee Description  |
|---------------------|---------------|--|
| Fee Code (\$)       | Fee Code (\$) |  |
| 1202 18             | 2202 9        | Claims in excess of 20                                     |
| 1201 88             | 2201 44       | Independent claims in excess of 3                          |
| 1203 300            | 2203 150      | Multiple dependent claim, if not paid                      |
| 1204 88             | 2204 44       | ** Reissue independent claims over original patent         |
| 1205 18             | 2205 9        | ** Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2)</b> |               | <b>(\$0.00)</b>  |

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

|              |              |
|--------------|--------------|
| Large Entity | Small Entity |
|--------------|--------------|

| Fee Code (\$)                     | Fee Code (\$) | Fee Description  | Fee Paid          |
|-----------------------------------|---------------|--|-------------------|
| 1051 130                          | 2051 65       | Surcharge - late filing fee or oath  |                   |
| 1052 50                           | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |                   |
| 1053 130                          | 1053 130      | Non-English specification  |                   |
| 1812 2,520                        | 1812 2,520    | For filing a request for <i>ex parte</i> reexamination                     |                   |
| 1804 920*                         | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |                   |
| 1805 1,840*                       | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |                   |
| 1251 110                          | 2251 55       | Extension for reply within first month                                     |                   |
| 1252 430                          | 2252 215      | Extension for reply within second month                                    |                   |
| 1253 980                          | 2253 490      | Extension for reply within third month                                     |                   |
| 1254 1,530                        | 2254 765      | Extension for reply within fourth month                                    |                   |
| 1255 2,080                        | 2255 1,040    | Extension for reply within fifth month                                     |                   |
| 1401 340                          | 2401 170      | Notice of Appeal   |                   |
| 1402 340                          | 2402 170      | Filing a brief in support of an appeal                                     |                   |
| 1403 300                          | 2403 150      | Request for oral hearing   |                   |
| 1451 1,510                        | 1451 1,510    | Petition to institute a public use proceeding                              |                   |
| 1452 110                          | 2452 55       | Petition to revive - unavoidable   |                   |
| 1453 1,330                        | 2453 665      | Petition to revive - unintentional   |                   |
| 1501 1,370                        | 2501 685      | Utility issue fee (or reissue)   |                   |
| 1502 490                          | 2502 245      | Design issue fee   |                   |
| 1503 660                          | 2503 330      | Plant issue fee  |                   |
| 1460 130                          | 1460 130      | Petitions to the Commissioner  |                   |
| 1807 50                           | 1807 50       | Processing fee under 37 CFR 1.17(q)  |                   |
| 1806 180                          | 1806 180      | Submission of Information Disclosure Stmt                                  | 180.00            |
| 8021 40                           | 8021 40       | Recording each patent assignment per property (times number of properties) |                   |
| 1809 790                          | 2809 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |                   |
| 1810 790                          | 2810 395      | For each additional invention to be examined (37 CFR 1.129(b))             |                   |
| 1801 790                          | 2801 395      | Request for Continued Examination (RCE)                                    |                   |
| 1802 900                          | 1802 900      | Request for expedited examination of a design application                  |                   |
| Other fee (specify) _____         |               |  |                   |
| *Reduced by Basic Filing Fee Paid |               | <b>SUBTOTAL (3)</b>  | <b>(\$180.00)</b> |

**SUBMITTED BY**

(Complete if applicable)

|                   |                 |                                   |        |           |              |
|-------------------|-----------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Robert N. Young | Registration No. (Attorney/Agent) | 48,412 | Telephone | 734-622-1866 |
| Signature         |                 |                                   |        | Date      | 7-16-05      |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PC 27712 (01337.US1)

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Application No : 10/677,551 Confirmation No. 9537  
Applicant : M. R. Barbachyn  
Filed : October 2, 2003  
TC/A.U. : 1624  
Examiner : Habte, Kahsay  
Docket No. : PC 27712 (01337.US1)  
Customer No. : 28880

Mail Stop Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(c))**

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form PTO/SB/08B is brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits, but before the mailing date of a final action under 37 C.F.R. §1.113, and before the mailing date of the Notice of Allowance under 37 C.F.R. §1.311, and it is accompanied by the fee set forth in §1.17(p).

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form PTO/SB/08B is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

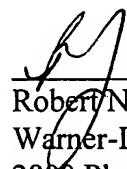
10677551  
08/03/2005 SFELEK1 00000010 230455  
180.00 DA  
01 FC:1806

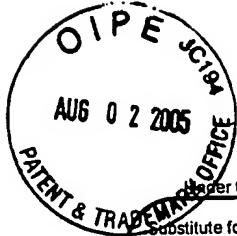
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form PTO/SB/08B, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Authorization is hereby given to charge the required fee under 37 C.F.R. §1.17(p), any other necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

Respectfully submitted,

Dated: 7-18-05

  
\_\_\_\_\_  
Robert N. Young, 48,412  
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2800 Plymouth Road  
Ann Arbor, MI 48105  
Telephone: (734) 622-1866  
Facsimile: (734) 622-1553



AUG 02 2005

PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through 07/06/2023, GPO 2007-103  
**U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**

Substitute for form 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheep

1

85

1

Complete if Known

| <i>Complete if Known</i>      |                      |
|-------------------------------|----------------------|
| <b>Application Number</b>     | 10/677,551           |
| <b>Filing Date</b>            | October 2, 2003      |
| <b>First Named Inventor</b>   | M. R. Barbachyn      |
| <b>Art Unit</b>               | 1624                 |
| <b>Examiner Name</b>          | Habte, Kahsay        |
| <b>Attorney Docket Number</b> | PC 27712 (01337.US1) |

## NON-PATENT LITERATURE DOCUMENTS

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique claim designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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